THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16689 OF 2006

14.08.2006

Between:

S.Rabiyabi, W/o.Ajeez

… Petitioner

AND

The District Collector, Chittoor
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16689 OF 2006

ORDER:

By proceedings dated 10.2.1992, the second respondent allotted house site patta in an extent of Acs.0.02 cents (plot No.5) in T.S.No.951 of Tirupathi Town. The petitioner alleges that she constructed a house with asbestos roof and has been residing therein, but without following due process of law, the second respondent came to the premises in 3rd week of June 2006 and dispossessed the petitioner by demolishing the house of the petitioner highhandedly. Alleging that the action of the second respondent as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (Assignment). Learned Counsel for the petitioner reiterated the contentions raised in the affidavit accompanying the writ petition. Learned Assistant Government Pleader obtained instructions from the second respondent. He submits that in 1992 patta was granted to the petitioner but she did not construct house in the land. Therefore, after following due process of law, by proceedings dated 07.5.2002 the patta was cancelled and that the petitioner is not in possession of the property. This only shows that the writ petition is filed on a factual foundation, which is incorrect and, therefore, this writ petition cannot be entertained.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

August 14, 2006
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